

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2085 - HB 2059

February 9, 2014

SUMMARY OF BILL: Requires the Attorney General to commence a civil suit on behalf of the State if the General Assembly adopts a joint resolution directing the Attorney General to initiate such a suit or if the Governor directs the Attorney General by executive order to initiate such a suit.

Requires the Attorney General to dismiss or otherwise withdraw from a suit if directed to by joint resolution of the General Assembly or by executive order executed by the Governor.

Permits the General Assembly to retain outside counsel to initiate a civil suit on behalf of the State.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – The fiscal impact of requiring the Attorney General to either initiate additional civil suits or terminate the state’s involvement in civil suits is not quantifiable, as the number and complexity of such suits are unknown. In the event that the General Assembly elects to hire outside counsel, it is estimated to result in an increase in state expenditures of at least \$10,000 per case for legal fees and expenses, depending on the nature, complexity and duration of each case. The circumstances under which this scenario may arise are not known and a more precise fiscal impact of this bill, therefore, cannot reasonably be determined.

Assumptions:

- It is assumed that certain lawsuits initiated at the direction of the General Assembly or the Governor could be accommodated within the Attorney General’s existing resources.
- The number and complexity of lawsuits the Attorney General would initiate, dismiss or withdraw from, at the direction of the General Assembly or the Governor, is unknown and cannot be quantified.
- It is assumed that any outside counsel retained by the General Assembly pursuant to this proposed legislation is estimated to charge at least \$10,000 per case for legal fees and expenses.
- Such outside counsel’s fees and expenses would be funded from the General Assembly’s operating budget.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm